

17364 U.S.  
08/01/03HAVERSTOCK & OWENS LLP  
162 North Wolfe Road  
Sunnyvale, California 94086  
(408) 530-9700

Customer Number 28960

PATENT STOP NEW PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attorney Docket No.: FINIS-00100

## NEW APPLICATION TRANSMITTAL

Sir:

Transmitted herewith for filing is the patent application of Inventor: John Mix

Title: ELECTRONIC PACE REGULATING, TIMING, AND COACHING DEVICE AND SYSTEM

## CERTIFICATION UNDER 37 CFR § 1.10

I hereby certify that this New Application and the documents referred to as enclosed herein are being deposited with the United States Postal Service on this date, August 1, 2003, in an envelope bearing "Express Mail Post Office To Addressee" Mailing Label Number EV349858353US addressed to: PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Francis Guerra  
(Name of Person Mailing Paper)John Mix  
/Signature

Enclosed are:

1. The papers required for filing date under CFR § 1.53(b):
- |           |  |          |                       |
|-----------|--|----------|-----------------------|
| <u>14</u> | Pages of Specification (including claims); | <u>3</u> | Sheet(s) of Drawings. |
|           |  | <u>X</u> | Formal                |
|           |  |          | Informal              |
2. X Declaration or Oath (combined with pwr of atty) UNEXECUTED
3. X Power of Attorney (combined with declaration) UNEXECUTED
4. - Assignment of the Invention to Finis Inc. (including Form PTO-1595).
5. Fee Calculation
- Amendment changing number of claims or deleting multiple dependencies is enclosed.

## CLAIMS AS FILED

|                                     | Number Filed | Number Extra | Rate                   | Basic Fee |
|-------------------------------------|--------------|--------------|------------------------|-----------|
|                                     |              |              |                        | \$750.00  |
| Total Claims                        | 17 - 20 =    | 0            | \$18.00                | 0.00      |
| Independent Claims                  | 3 - 3 =      | 0            | \$84.00                | 0.00      |
| Multiple Dependent claim(s), if any |              |              | \$280.00               |           |
|                                     |              |              | Filing Fee Calculation | \$750.00  |

6. X Applicants are entitled to small entity status
- 50% Filing Fee Reduction (if applicable) \$375.00
7. Other Fees
- |                     |                            |          |
|---------------------|----------------------------|----------|
| <u>-</u>            | Assignment Recordation Fee |          |
| <u>-</u>            | Other                      | 0.00     |
| TOTAL FEES ENCLOSED |                            | \$375.00 |
8. Payment of Fees
- X Check in the amount of \$ enclosed.
9. X Authorization to Charge Additional Fees
- The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR § 1.16 or § 1.17 to Account No. 08-1275. An originally executed duplicate of this transmittal is enclosed for this purpose.
10. X Request for Non-Publication
11. X Return Receipt Postcard

Dated: August 1, 2003By: James A. Gavney (Agent)  
Registration No.: 45,68716424 U.S. PTO  
10/632464  
08/01/03

PATENT  
Attorney Docket No.: FINIS-00100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                                |   |  |
|--------------------------------|---|--|
| In re Application of:          | ) | Group Art Unit:                          |
| John Mix                       | ) | Examiner:                                |
| Serial No.:                    | ) | <b>REQUEST FOR NON PUBLICATION OF</b>    |
| Filed: herewith                | ) | <b>APPLICATION UNDER U.S.C. §1.22(b)</b> |
|                                | ) | <b>37 C.F.R. § 1.213(a)</b>              |
| For: <b>ELECTRONIC PACE</b>    | ) | 162 North Wolfe Road                     |
| <b>REGULATING, TIMING, AND</b> | ) | Sunnyvale, California 94086              |
| <b>COACHING DEVICE AND</b>     | ) | (408) 530-9700                           |
| <b>SYSTEM</b>                  | ) |  |

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Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Respectfully submitted,  
HAVERSTOCK & OWENS LLP

Dated: Aug 1 / 2003

By: 

James A. Gavney (Agent)  
Reg. No.: 45,687

Attorneys for Applicant